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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,206	03/04/2005	Hironobu Shimazu	Q85048	5679
23373 7590 03/18/2008 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037				
EXAMINER				
GOFF II, JOHN L				
ART UNIT		PAPER NUMBER		
1791				
MAIL DATE		DELIVERY MODE		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/517,206

Applicant(s)

SHIMAZU ET AL.

Examiner

John L. Goff

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 17 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 1-9, 12-14, 16, 17 and 19-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 10, 11, 15 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date See Continuation Sheet
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

Continuation of Attachment(s) 3. Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :12/8/04,3/14/05,5/3/06,7/18/06,2/7/07.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election without traverse of Group II, claims 10, 11, 15, and 18 in the reply filed on 12/17/07 is acknowledged.

### ***Information Disclosure Statement***

2. The information disclosure statements filed 3/4/05 and 5/23/06 fail to comply with 37 CFR 1.98(a)(1), which requires the following: (1) a list of all patents, publications, applications, or other information submitted for consideration by the Office; (2) U.S. patents and U.S. patent application publications listed in a section separately from citations of other documents; (3) the application number of the application in which the information disclosure statement is being submitted on each page of the list; (4) a column that provides a blank space next to each document to be considered, for the examiner's initials; and (5) a heading that clearly indicates that the list is an information disclosure statement. The information disclosure statement has been placed in the application file, but the information referred to therein has not been considered.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 10, 11, 15, and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claims 10 and 11 depend from non-elected claim 1. Claim 15 depends from non-elected claim 12. Claim 18 depends from non-elected claim 16. The claims should be amended into independent form including the limitations from which the claims depend.

6. Claims 10 and 11 require a step after irradiating light which requires "before said adhesive for sealing an organic electroluminescence device is cured". Claims 12 and 15 require similar. Irradiating light initiates the curing reaction within the adhesive such that the adhesive cures before sealing, and the limitation set forth above in claims 10, 11, 12, and 15 is unclear. The limitation has been considered to require before the adhesive is completely cured and does not exclude partial curing of the adhesive.

#### ***Claim Rejections - 35 USC § 103***

7. Claims 10, 11, 15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gyotoku (JP 11-224771 and see also the machine translation) in view of Nakada (JP 2000-086989 and see also the machine translation) or Yamaguchi et al. (WO 02/102911).

Gyotoku discloses a method of sealing an organic electroluminescence device for a liquid crystal display using a photo cationic polymerizable adhesive (8 of Figure 1) containing a photo cationic polymerizable compound and a photo cationic polymerization initiator to fill a space between a sealing plate (7 of Figure 1) and a thin film structure (2 of Figure 1) and seal the periphery of the thin film structure (Paragraphs 0001, 0017, and 0029). Gyotoku teaches

Art Unit: 1791

initiating a curing reaction of the adhesive by light irradiation (Paragraph 0044). Gytoku does not specifically teach the light irradiation is applied to the adhesive before the adhesive fills the space between the sealing plate and the thin film structure. Gytoku is not limited to applying the light irradiation either before or after the adhesive fills the space, and there are only two possibilities, i.e. the light irradiation is applied either before or after the adhesive is applied and fills the space. It was well taken in the art of curing a photo cationic polymerizable adhesive of the type taught by Gytoku used in a liquid crystal display including an organic electroluminescence device to initiate the cure by applying light irradiation directly to the adhesive sufficient to initiate the cure with the curing reaction proceeded by a dark reaction after interrupting the light irradiation wherein applying irradiation directly to the adhesive to initiate the cure without passing the light through a portion of the liquid crystal display prevents the display from deteriorating by coloring, clouding, decomposing, cracking, etc. as shown by either one of Nakada or Yamaguchi (Paragraphs 0010, 0012, 0019, and 0033 of Nakada and Page 3, lines 1-3 and Page 5, lines 1-17 and Page 8, lines 27-30 of Yamaguchi). It would have been obvious to one of ordinary skill in the art at the time the invention was made to initiate the cure of the adhesive by applying light irradiation as taught by Gytoku directly to the adhesive, i.e. before applying the adhesive to fill the gap between the sealing plate and thin film structure, as suggested by Nakada or Yamaguchi to prevent light irradiation from passing through the organic electroluminescence device and deteriorating the device by coloring, clouding, decomposing, cracking, etc.

Regarding claims 15 and 18, Gytoku is silent as to the adhesive being carried on a tape. Both Nakada and Yamaguchi are exemplary of supplying the adhesive on or between polymer

release/seperator sheets considered moisture-proof tape (Paragraph 0022 of Nakada and Page 5, lines 1-7 of Yamaguchi). It would have been obvious to one of ordinary skill in the art at the time the invention was made to supply the adhesive as taught by Gytoku between release/seperator sheets which are removed prior to applying the light irradiation as shown by either one of Nakada or Yamaguchi to prevent fouling the adhesive prior to application wherein applying the irradiating light directly to the adhesive after peeling one of the release sheets either before or after peeling the other release sheet would have been well within the purview of one ordinary skill in the art only the expected results being achieved.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **John L. Goff** whose telephone number is **(571) 272-1216**. The examiner can normally be reached on M-F (7:15 AM - 3:45 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John L. Goff/  
Primary Examiner, Art Unit 1791